

Amendment No. 1 to SB4119

**Southerland
Signature of Sponsor**

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 4119

House Bill No. 4185*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 69-3-103, is amended by adding the following language as a new subdivision (14) and by renumbering subsequent subdivisions accordingly:

(14) "Limited Resource Waters" means waters other than waters of the United States where the water chemistry, habitat or hydrology are not adequate, under normal circumstances, to support the uses of waters of the state because:

(A) Naturally occurring water chemistry prevents the attainment of the uses;

(B) Naturally occurring ephemeral, intermittent or low flow conditions or water levels prevent the attainment of the uses;

(C) Dams, diversions or other types of hydrologic modifications in existence as of the passage of this act, preclude the attainment of the uses, and it is not feasible to restore the waterbody to its original condition or to operate such modification in a way that would result in the attainment of the uses; or

(D) Physical conditions related to the natural features of the waterbody, such as the lack of a proper substrate, cover, flow, depth, pools, and riffles preclude attainment of the beneficial uses.

SECTION 2. Tennessee Code Annotated, 69-3-103(33), which is the current definition of "Waters", is amended by adding the words "except for limited resource waters" between the language "portion thereof," and the words "except those bodies".

SECTION 3. This law shall take effect upon passage, the public welfare requiring it.